



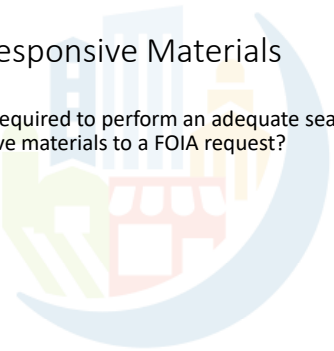
Advanced Topics in Responding to FOIA Requests

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Q1: Responsive Materials

What is required to perform an adequate search for responsive materials to a FOIA request?



Q2: Specific Purpose

Section 30-4-70(b) requires the presiding officer to “announce the specific purpose of the executive session,” but it also says that for personnel or economic development matters, “the identity of the individual or entity being discussed is not required to be disclosed.” How do you balance these requirements? Must the “specific purpose” also be stated in the agenda?



Q3: Commercial Solicitation

Does a request from a trade journal or other publisher of information included in public records (e.g., Zillow) violate the prohibition against commercial solicitation?



Q4: Social Media Posts

Are posts by public officials on private social media pages considered public records?



Q5: Social Media Comments

Are comments by private citizens on a municipal social media page considered public records? What if the citizen later deletes the comment?



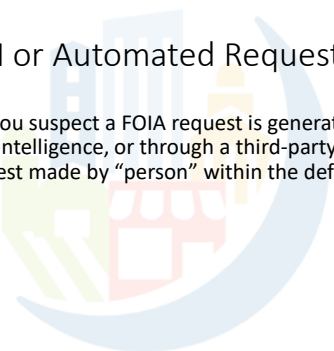
Q6: Private Attorneys' Fees

Can a municipality recover private, third-party attorneys' fees related to fulfilling FOIA requests?



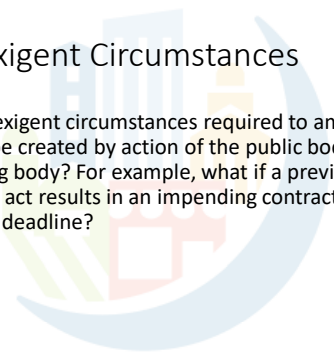
Q7: AI or Automated Requests

What if you suspect a FOIA request is generated by artificial intelligence, or through a third-party app? Is the request made by "person" within the definition in FOIA?



Q8: Exigent Circumstances

Can the exigent circumstances required to amend an agenda be created by action of the public body or its governing body? For example, what if a previous failure to act results in an impending contract approval deadline?



Q9: Moving Agenda Items

Can the order of the items on an agenda be changed at the meeting, or does that count as amending the agenda? Does it matter if the item being moved on the agenda is an item on which the body is not taking action?



Q10: Willful Disruption

Can a councilmember be removed from a meeting for the willful disruption of a meeting that compromises the orderly conduct of the meeting? See Section 30-4-70(d).